

## **LISTINGS OF THE CLAIMS**

### **In the claims:**

1. (currently amended) In a network system including at least one client device and at least one server device operatively coupled for communication, a method for synchronizing an audio capture program with a streamed audio file, the method comprising:
  - providing an audio capture program on said client device;
  - receiving by said server at least one selection request from a user at said client device;
  - providing a synchronization program on said client device;
  - streaming a digital audio file from said server device to said client device;
  - detecting, by said synchronization program, a first state change associated with an audio stream player disposed within said client device, said synchronization program preparing said audio capture program on said client device in response to said first state change;
  - detecting, by said synchronization program, a second state change associated with said audio stream player indicating the start of audio playback of the digital audio file;
  - said synchronization program initiating said audio capture program on said client device at a fixed time interval calculated from when said second state change is detected for synchronizing capture; and
  - capturing data at said client device by said audio capture program operatively coupled to audio capture hardware at said client device.
2. (original) The method of claim 1, wherein said method further comprises recording said data captured by said audio capture program on a storage medium disposed in said client device.
3. (original) The method of claim 1, wherein said method further comprises, compressing said data captured by said audio capture program, streaming said compressed data to said server, and recording said compressed data on a storage medium disposed in said server device.

4. (original) The method of claim 1, wherein said method further comprises stopping said audio capture program.

5. (original) The method of claim 4, wherein said stopping said audio capture program comprises detecting, by said program, a third state change associated with said audio stream player, wherein said program stops said audio capture engine in response to said third state change.

6. (previously presented) The method according to claim 1, further comprising uploading said captured data from said client device to said server device.

7. (previously presented) The method according to claim 6, wherein said captured data is compressed prior to said uploading.

8. (original) The method of claim 1, wherein said network comprises the Internet.

9. (original) The method of claim 4, wherein said stopping said audio capture program comprises detecting, by said program, a third state change associated with receiving a second selection from said user, wherein said program stops said audio capture engine in response to said third state change.

10. (previously presented) In a computing device, a method for synchronizing an audio capture program with an audio file, the method comprising:

- receiving at least one selection request from a user on said computing device;
- providing an audio playback program on said computing device;
- providing an audio capture program on said computing device;
- providing at least one audio file on said computing device; and
- providing a synchronization program on said computing device;

receiving, by said synchronization program, a first event condition from said audio playback program, said first event condition being associated with audio playback;

preparing by said synchronization program, said audio capture program in response to said first event condition;

detecting, by said synchronization program, a second state change associated with said audio playback program; said second state change indicating the start of audio playback;

directing, by said synchronization program, said audio capture program to begin recording a user's performance at said computing device in response to said second state change.

11. (original) The method of claim 10, wherein said program detects a third state change.

12. (original) The method of claim 11, wherein said program stops said audio capture program in response to said third state change.

13. (original) The method of claim 11, wherein said third state change is transmitted by said audio playback program.

14. (original) The method of claim 11, wherein said third state change is transmitted by said program in response to a second selection from said user.

15. (original) The method of claim 10, wherein said audio playback program comprises an audio stream player.

16. (previously presented) The method of claim 10, wherein said computing device is connected to the Internet.

17. (previously presented) The method of claim 10, wherein said user's performance is recorded on said computing device.

18. (previously presented) The method of claim 17, wherein said user's performance is transmitted from said computing to a server device.

19. (previously presented) The method of claim 18, wherein said user's performance is compressed prior to said transmittal from said computing device to said server device

20. (previously presented) The method of claim 10, wherein said user's performance is recorded on a server device.

21. (previously presented) In a network system including at least one client device and at least one server device operatively coupled for communication, an apparatus for synchronizing an audio capture program with a streamed audio file, said apparatus comprising:

- a means for receiving by said server device at least one selection request from a user at said client device;

- a means transmitting a synchronization program from said server device to said client device;

- a means for streaming a digital audio file from said server device to said client device;

- a means for detecting, by said synchronization program, a first state change associated with an audio stream player disposed within said client device, said synchronization program preparing said audio capture program on said client device in response to said first state change;

- a means for detecting, by said synchronization program, a second state change associated with said audio stream player indicating the start of audio playback; and

- said synchronization program initiating said audio capture program on said client device at a fixed time interval calculated from when said second state change is detected for synchronizing capture.

22. (original) The apparatus of claim 21, wherein said apparatus further comprises recording said data captured by said audio capture program on a storage medium disposed in said client device.

23. (original) The apparatus of claim 21, wherein said method further comprises, compressing said data captured by said audio capture program, streaming said compressed data to said server, and recording said compressed data on a storage medium disposed in said server device.

24. (original) The apparatus of claim 21, wherein said method further comprises stopping said audio capture program.

25. (original) The apparatus of claim 24, wherein said stopping said audio capture program comprises detecting, by said program, a third state change associated with said audio stream player, wherein said program stops said audio capture engine in response to said third state change.

26 (original) The apparatus according to claim 21, further comprising uploading said recording from said client device to said server device.

27. (original) The apparatus according to claim 26, wherein said recording is compressed prior to said uploading.

28. (original) The apparatus according to claim 21, wherein said network comprises the Internet.

29. (original) The apparatus of claim 24, wherein said stopping said audio capture program comprises detecting, by said program, a third state change associated with receiving a second selection from said user, wherein said program stops said audio capture engine in response to said third state change.

30. (previously presented) In a network system including at least one client device and at least one server device operatively coupled for communication, an apparatus for synchronizing an audio capture program with an audio file, the apparatus comprising:

a means for receiving by said server device at least one selection request from a user at said client device;

a means for providing an audio playback program on said client device;

a means for providing an audio capture program on said client device;

a means for providing at least one audio file to said client device; and

a means for providing a synchronization program to said client device, wherein said synchronization program receives a first event condition from said audio playback program, said first event condition being associated with audio playback, said synchronization

program prepares an audio capture program in response to said first event condition; said synchronization program detects a second state change associated with said audio playback program indicating the start of audio playback, whereby said synchronization program directs said audio capture program to begin recording a user's performance in response to said second state change.

31. (original) The apparatus of claim 30, wherein said program detects a third state change.

32. (original) The apparatus of claim 31, wherein said program stops said audio capture program in response to said third state change.

33. (original) The apparatus of claim 31, wherein said third state change is transmitted by said audio playback program.

34. (original) The apparatus of claim 31, wherein said third state change is transmitted by said program in response to a second selection from said user.

35. (original) The apparatus of claim 30, wherein said audio playback program comprises an audio stream player.

36. (original) The apparatus of claim 30, wherein said network comprises the Internet.

37. (original) The apparatus of claim 30, wherein said user's performance is recorded on said client device.

38. (original) The apparatus of claim 37, wherein said user's performance is transmitted from said client device to said server device.

39. (original) The apparatus of claim 38, wherein said user's performance is compressed prior to said transmittal from said client device to said server device.

40. (original) The apparatus of claim 30, wherein said user's performance is recorded on said server device.

41. (currently amended) A program storage device readable by a machine, tangibly embodying a program of instructions executable by the machine within a network system including at least one client device and at least one server device operatively coupled for communication, a method for synchronizing an audio capture program with a streamed audio file, said method comprising:

receiving by said server at least one selection request from a user at said client device;

providing a synchronization program on said client device;

streaming a digital audio file from said server device to said client device;

detecting, by said synchronization program, a first state change associated with an audio stream player disposed within said client device, said synchronization program preparing said audio capture program on said client device in response to said first state change;

detecting, by said synchronization program, a second state change associated with said audio stream player indicating the start of audio playback;

said synchronization program initiating said audio capture program on said client device at a fixed time interval calculated from when said second state change is detected for synchronizing capture; and

capturing data at said client device by said audio capture program operatively coupled to audio capture hardware at said client device.

42. (original) The method of claim 41, wherein said method further comprises recording said data captured by said audio capture program on a storage medium disposed in said client device.

43. (original) The method of claim 41, wherein said method further comprises, compressing said data captured by said audio capture program, streaming said compressed

data to said server, and recording said compressed data on a storage medium disposed in said server device.

44. (original) The method of claim 41, wherein said method further comprises stopping said audio capture program.

45. (original) The method of claim 44, wherein said stopping said audio capture program comprises detecting, by said program, a third state change associated with said audio stream player, wherein said program stops said audio capture engine in response to said third state change.

46. (previously presented) The method according to claim 41, further comprising uploading said captured data from said client device to said server device.

47. (previously presented) The method according to claim 46, wherein said captured data is compressed prior to said uploading.

48. (original) The method according to claim 41, wherein said network comprises the Internet.

49. (original) The method of claim 44, wherein said stopping said audio capture program comprises detecting, by said program, a third state change associated with receiving a second selection from said user, wherein said program stops said audio capture engine in response to said third state change.

50. (previously presented) A program storage device readable by a machine, tangibly embodying a program of instructions executable by the machine within a network system including at least one client device and at least one server device operatively coupled for communication, a method for synchronizing an audio capture program with an audio file, said method comprising:

- receiving at least one selection request from a user on said client device;
- providing an audio playback program on said client device;
- providing an audio capture program on said client device;



providing at least one audio file on said client device; and  
providing a synchronization program on said client device, wherein said synchronization program receives a first event condition from said audio playback program, said first event condition being associated with audio playback, said synchronization program prepares an audio capture program associated with said first event condition, said synchronization program detects a second state change associated with said audio playback program when said audio playback begins, whereby said synchronization program directs said audio capture program to begin recording a user's performance at said computing device in response to said second state change.

51. (original) The method of claim 50, wherein said program detects a third state change.

52. (original) The method of claim 51, wherein said program stops said audio capture program in response to said third state change.

53. (original) The method of claim 51, wherein said third state change is transmitted by said audio playback program.

54. (original) The method of claim 51, wherein said third state change is transmitted by said program in response to a second selection from said user.

55. (original) The method of claim 50, wherein said audio playback program comprises an audio stream player.

56. (original) The method of claim 50, wherein said network comprises the Internet.

57. (original) The method of claim 50, wherein said user's performance is recorded on said client device.

58. (original) The method of claim 57, wherein said user's performance is transmitted from said client device to said server device.

59. (original) The method of claim 58, wherein said user's performance is compressed prior to said transmittal from said client device to said server device.

60. (original) The method of claim 50, wherein said user's performance is recorded on said server device.

61. (previously presented) The method of claim 10, wherein the step of providing at least one audio file on said client device includes the step of transmitting said audio file from a server device to said client device.

62. (previously presented) The method of claim 10, wherein the step of providing a synchronization program on said client device includes the step of transmitting said synchronization program from said server device to said client device.

63. (previously presented) The method of claim 30, wherein the step of providing at least one audio file on said client device includes the step of transmitting said audio file from said server device to said client device.

64. (previously presented) The method of claim 30, wherein the step of providing a synchronization program on said client device includes the step of transmitting said synchronization program from said server device to said client device.

65. (previously presented) The method of claim 50, wherein the step of providing at least one audio file on said client device includes the step of transmitting said audio file from said server device to said client device.

66. (previously presented) The method of claim 50, wherein the step of providing a synchronization program on said client device includes the step of transmitting said synchronization program from said server device to said client device.

67. (previously presented) The method of claim 50, wherein the audio file is provided by the user.

68. (previously presented) The method of claim 1, wherein the step of providing a synchronization program on said client device includes the step of transmitting said synchronization program from said server device to said client device.

69. (previously presented) The method of claim 41, wherein the step of providing a synchronization program on said client device includes the step of transmitting said synchronization program from said server device to said client device.